

REMARKS

Claims 3-7 and 9-32 were previously pending in this application. Claims 4, 6, 17, 21, 23, 26, 31 and 32 are amended herein. No claims have been canceled. As a result, claims 3-7 and 9-32 are pending for examination with claims 11, 15, 24 and 30 being independent claims. No new matter is added by these amendments. Support for the amendments can be found in the originally-filed application.

Rejections Under 35 U.S.C. §103

The Office Action rejects claims 3-7 and 9-32 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,678,002 to Frink et al. (hereinafter “Frink”) in view of U.S. Patent No. 6,853,385 to MacInnis et al. (hereinafter “MacInnis”) and further in view of U.S. Patent No. 5, 159,665 to Priem et al (hereinafter “Priem”). Applicants respectfully disagree and traverse this rejection for the reasons described below.

The Office Action states that Frink does not disclose “a graphics chip having at least two video inputs for respectively receiving said at least two real-time uncompressed digital video streams, said graphics chip further having a 2D graphics engine and a 3D rendering engine respectively for proving a 2D and 3D functions [sic] used for video editing of said at least two real-time uncompressed digital video streams, said graphics chip further comprising a video output for providing edited uncompressed digital video streams.” (Office Action at page 4.) Instead, the Office Action relies on a combination of Figure 1 and the description of Column 5, lines 35+ and Column 60, lines 1-30 of MacInnis for an alleged teaching of the preceding. MacInnis claims priority as a continuation-in-part of U.S. Patent No. 6,570,579 (the ‘579 patent) which was filed on November 9, 1999.

Provided herewith is a Declaration of Lorne Trottier et al. under 37 C.F.R. §1.31, and supporting Exhibits A-E, which provide evidence of an actual reduction to practice of the subject matter of claims 3-7 and 9-32 prior to November 9, 1999. That is, the Declaration provides evidence of an actual reduction to practice prior to the filing date of not only MacInnis but also prior to the filing date of the ‘579 application.

Also provided herewith is a copy of U.S.S.N. 60/107,875 (the '875 application). The '579 patent claims priority to the '875 application which was filed on November 9, 1998. The '875 application is provided as evidence that the '875 application does not teach or suggest anything concerning "a graphics accelerator chip having at least two video inputs for receiving at least two real-time uncompressed digital video streams, said graphics accelerator chip further having a 2D graphics engine and a 3D rendering engine respectively for providing 2D and 3D functions used for said video editing of said at least two real-time uncompressed digital video streams," as recited in claim 24, for example. In particular, the '875 application does not include Figure 1 of MacInnis or any description corresponding to the description in columns 5 and 60 of MacInnis which is relied on in the Office Action. Accordingly, the effective date of MacInnis concerning the subject matter of the pending claims is no earlier than November 9, 1999. Thus, MacInnis is not available as a prior art reference concerning the subject matter of the pending claims.

Applicants thereby overcome the rejection of claims 3-7 and 9-32 in view of the attached Declaration. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of claims 3-7 and 9-32 under 35 U.S.C. §103(a).

CONCLUSION

In view of the foregoing amendments and remarks, reconsideration is respectfully requested. This application should now be in condition for allowance; a notice to this effect is respectfully requested. If the Examiner believes, after this amendment, that the application is not in condition for allowance, the Examiner is requested to call the Applicant's attorney at the telephone number listed below.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed payment, please charge any deficiency to Deposit Account No. 50/2762, M1073-700719.

Respectfully submitted,
Lorne Trottier et al., Applicants

By: /Robert V. Donahoe/
Robert V. Donahoe, Reg. No. 46,667
LOWRIE, LANDO & ANASTASI, LLP
One Main Street
Cambridge, Massachusetts 02142
United States of America
Telephone: 617-395-7000
Facsimile: 617-395-707